

2008 Explanatory Notes
Office of Civil Rights

Table of Contents

	<u>Page</u>
Purpose Statement.....	3-1
Statement of Available Funds and Staff Years.....	3-2
Permanent Positions by Grade and Staff Year.....	3-3
Appropriations Language.....	3-3
Lead-off Tabular Statement.....	3-3
Project Statement.....	3-4
Justifications.....	3-5
Geographic Breakdown of Obligations and Staff Years.....	3-5
Classification by Objects.....	3-6
Status of Program.....	3g-1
Summary of Budget and Performance	
Statement of Goals and Objectives.....	3-7
Key Performance Outcomes and Measures.....	3-11
Full Cost by Strategic Objective.....	3-17

OFFICE OF CIVIL RIGHTS

Purpose Statement

The Office of Civil Rights' (CR) mission is to facilitate the fair and equitable treatment of USDA customers and employees while ensuring the delivery and enforcement of civil rights programs and activities. CR has one strategic goal and seven strategic objectives that contribute to the Department's management initiatives.

Equal Opportunity and Compliance Division: CR's Equal Opportunity and Compliance Division monitors the implementation of settlement agreements, Final Agency Decisions (FADs), the Equal Employment Opportunity Commission (EEOC) orders and corrective compliance plans. These program activities assist in decreasing the number of non-compliance complaints filed; thereby ensuring that USDA provides fair and equitable services and benefits to all customers. CR requires agencies to submit compliance reports 60 days after the settlement agreement is signed, the final agency decision is issued, or the EEOC order is issued. CR continues to provide specialized training to all USDA employees to promote understanding and appreciation of a diverse workforce; develop the EEOC MD-715 plan to establish and maintain effective affirmative programs of equal employment opportunity under Section 717 of Title VII of the Civil Rights Act of 1964 and effective affirmative action program under section 501 of the Rehabilitation Act of 1973, and comply with the reporting requirements therein; and interact with other National and Federal organizations on issues affecting women, minorities and people with disabilities. CR conducts employment compliance reviews, develops compliance reports, monitors the implementation of recommendations and corrective actions, and monitors the implementation of Departmental and agency affirmative action/employment program plans. These program activities assist in ensuring that USDA provides fair and equitable services and benefits to all customers and upholds the civil rights of its employees.

CR's Equal Opportunity and Compliance Division assesses and improves USDA's overall civil rights climate through: timely reviews and civil rights analysis on USDA program and administrative regulations; ensuring recommendations to agencies on potential impacts are implemented with no adverse civil rights consequences; strategic planning; and publishing new Civil Rights rules, Departmental Regulations and policies.

Program Complaints Division: Program Complaints Division performs intake and investigation functions for civil rights complaints filed against USDA agencies and USDA sponsored programs. The Complaints Adjudication Division prepares FADs for these cases. These program activities assist in the overall reduction in the average number of days to process program complaints; thereby ensuring that USDA provides fair and equitable services and benefits to all customers.

Employment Complaints and Complaints Adjudication Division: Pre-complaint processing is conducted by agency civil rights programs. Pre-complaint processing includes referring individuals to a Counselor and providing alternative dispute resolution (ADR). CR's Employment Complaints Division processes EEO complaints through the issuance of the Report of Investigation (ROI) and the Complaints Adjudication Division prepares EEO Final Decisions. These program activities assist in ensuring that USDA provides fair and equitable services and benefits to all customers and upholds the civil rights of its employees.

Data Management and Customer Service Division: CR's Data Management and Customer Service Division continues to support EEO and civil rights program complaint tracking and processing functions. CR has developed and is implementing a USDA-wide Civil Rights Enterprise System that provides an integrated data tracking solution for Agency Civil Rights Offices, the Assistant Secretary for Civil Rights, and the Department's customers and stakeholders. The system provides consistent, accurate data to satisfy the Department's numerous reporting requirements consistent with the President's Management Agenda and legislation related to the Government Paperwork Elimination Act and eGovernment activities.

Conflict Prevention and Resolution: The Conflict Prevention and Resolution Center (CPRC) leads and coordinates conflict management and ADR efforts throughout USDA. ADR programs exist in all USDA agencies and mission areas, and vary in both scope and level of activity. ADR itself is applicable, in a

variety of forms, to workplace disputes, EEO complaints, USDA program disputes, including civil rights complaints, and group interventions. CPRC in Civil Rights maintains the USDA-wide focus on conflict management and resolution.

Outreach: The USDA Office of Outreach strengthens USDA outreach efforts to limited-resource farmers and ranchers and under-represented customers, coordinates program delivery outreach throughout USDA, and assists underserved customer groups in collaboration with the Agency Outreach Coordinators and State Outreach Councils. Outreach develops policy, thereby enhancing the building of partnerships with universities/colleges, community/faith-based organizations and other groups, associations and organizations. Outreach provides leadership through policy guidance, high-level strategic planning and goal setting, performance measurement and feedback to USDA national, State and local outreach coordinators and councils. Outreach monitors, analyzes, and evaluates trends related to USDA programs and activities through mission area outreach plans, outreach coordinators, and State outreach councils. Outreach develops and provides training and education in outreach function models, best practices, policies, environmental justice, strategic plans and goals to USDA employees and stakeholders to provide an effective educational resource and linkage to internal and external customers regarding USDA-wide programs.

The Headquarters of Civil Rights is located in Washington, D.C. As of September 30, 2006, there were 140 full-time permanent employees and 14 other than full-time permanent employees.

OIG Reports

#60601-04-Hy 07/06 Review of U.S. Department of Agriculture's Accountability for Actions Taken on Civil Rights Complaints.

GAO Reports

#360777 11/10/06 USDA Civil Rights Performance.

OFFICE OF CIVIL RIGHTS

Available Funds and Staff Years 2006 Actual and Estimated 2007 and 2008

Item	Actual 2006		Estimated 2007		Estimated 2008	
	Amount	Staff Years	Amount	Staff Years	Amount	Staff Years
Direct Appropriation:						
Civil Rights	\$20,109,000	140	\$19,908,000	144	\$23,147,000	144
Rescission	-201,090	--	--	--	--	--
Total, Direct	19,907,910	140	19,908,000	144	23,147,000	144
<u>Obligations under other</u>						
<u>USDA appropriations:</u>						
1890 USDA Program	3,706,268	5	2,400,000	5	2,843,000	5
Diversity Council	585,488	1	495,000	1	508,000	1
EEO Investigations	123,955	--	200,000	--	200,000	--
Section 10708 Program	0	--	200,000	--	200,000	--
Am. Indian Higher Ed	588,083	--	580,000	4	597,000	4
Misc. Reimbursements	374,640	--	400,000	--	400,000	--
Total, Reimbursements	5,378,434	6	4,275,000	10	4,748,000	10
Total, Civil Rights	25,286,344	146	24,183,000	154	27,895,000	154

OFFICE OF CIVIL RIGHTS

Permanent Positions by Grade and Staff Year Summary
2006 Actual and Estimated 2007 and 2008

Grade	2006			2007			2008		
	Wash DC	Field	Total	Wash DC	Field	Total	Wash DC	Field	Total
Senior Executive Service	3	--	3	3	--	3	3	--	3
GS-15	14	--	14	14	--	14	14	--	14
GS-14	45	--	45	45	--	45	45	--	45
GS-13	56	--	56	56	--	56	56	--	56
GS-12	10	--	10	10	--	10	10	--	10
GS-11	5	--	5	5	--	5	5	--	5
GS-10	1	--	1	1	--	1	1	--	1
GS-9	9	--	9	5	--	5	5	--	5
GS-8	6	--	6	3	--	3	3	--	3
GS-7	3	--	3	10	--	10	10	--	10
GS-6	2	--	2	2	--	2	2	--	2
Total Permanent Positions.....	154	--	154	154	--	154	154	--	154
Unfilled Positions End-of-year.....	-14	--	-14	--	--	--	--	--	--
Total, Permanent Full-Time Employment, end-of-year.....	140	--	140	154	--	154	154	--	154
Staff Year Estimate....	146	--	146	154	--	154	154	--	154

The estimates include appropriation language for this item as follows (new language underscored; deleted matter enclosed in brackets):

Office of Civil Rights:

For necessary expenses of the Office of Civil Rights, \$23,147,000.

LEAD-OFF TABULAR STATEMENT

Estimate, 2007	\$19,908,000
Budget Estimate, 2008.....	<u>23,147,000</u>
Increase in Appropriation	<u>+ 3,239,000</u>

OFFICE OF CIVIL RIGHTS

SUMMARY OF INCREASES AND DECREASES

(On basis of appropriation)

<u>Item of Change</u>	<u>2007 Estimate</u>	<u>Pay Costs</u>	<u>Program Changes</u>	<u>2008 Estimated</u>
Equal Opportunity and Compliance	\$4,532,000	+\$192,000	+\$570,000	\$5,294,000
Program Complaints	3,385,000	+131,000	--	3,516,000
Employment Complaints and Complaints Adjudication	5,675,000	+225,000	--	5,900,000
Data Management and Customer Service	3,146,000	+124,000	+1,871,000	5,141,000
Conflict Prevention and Resolution	1,146,000	+44,000	--	1,190,000
Outreach	2,024,000	+82,000	--	2,106,000
Total Available	<u>19,908,000</u>	<u>+798,000</u>	<u>+2,441,000</u>	<u>23,147,000</u>

Project Statement
(On basis of appropriation)

	<u>2006 Actual</u>		<u>2007 Estimated</u>		<u>Increase or Decrease</u>	<u>2008 Estimated</u>	
	<u>Amount</u>	<u>Staff Years</u>	<u>Amount</u>	<u>Staff Years</u>		<u>Amount</u>	<u>Staff Years</u>
Equal Opportunity and Compliance	\$4,511,624	33	\$4,532,000	34	+762,000	\$5,294,000	34
Program Complaints	3,359,531	25	3,385,000	26	+131,000	3,516,000	26
Employment Complaints and Complaints Adjudication	5,659,807	39	5,675,000	40	+225,000	5,900,000	40
Data Management and Customer Service	3,131,880	23	3,146,000	24	+1,995,000	5,141,000	24
Conflict Prevention and Resolution	1,140,817	8	1,146,000	8	+44,000	1,190,000	8
Outreach	2,014,885	12	2,024,000	12	+82,000	2,106,000	12
Unobligated Balance	89,366	--	--	--	--	--	--
Total Available or Estimate	19,907,910	140	19,908,000	144	+3,239,000 (1)	23,147,000	144
Rescission	+201,090	--	--	--			
Total, Appropriation	<u>20,109,000</u>	<u>140</u>	<u>19,908,000</u>	<u>144</u>			

OFFICE OF CIVIL RIGHTS

Justifications for Increases and Decreases(1) An increase of \$3,239,000 for the Office of Civil Rights consisting of:a) An increase of \$570,000 for compliance monitoring activities.

Funding is necessary to increase the number of compliance reviews on agency affirmative employment efforts and program delivery. The compliance reviews will include activities designed to meet the affirmative employment goals of EEOC Management Directive 715. In addition, CR will undertake significant compliance activities in the field, which will involve travel funds, training and administrative costs.

b) An increase of \$1,871,000 for Civil Rights Enterprise System.

Funding is necessary for completion of the Civil Rights Enterprise System improvements. These funds will be aimed at continuing support of the President's Management Agenda, expanded electronic government, by improving complainant/customer access to information about their complaints, providing a more accountable mechanism for EEO and program complaint filing, and expansion of the document scanning, storage and retrieval capabilities to improve internal operational efficiency. USDA agencies will be able to interface on a Web-based system that will provide customers and employees real-time data regarding their discrimination complaints. The system encompasses a planned multi-year phased approach with a lifecycle projected through FY 2009. After FY 2009, the implementation of the system will be complete and funds will only be needed to support an indefinite steady-state operational and maintenance mode.

c) A total increase of \$798,000 for pay costs, of which \$427,000 is for 2008 increased pay costs, and \$371,000 is for 2007 pay costs.

These funds are necessary to continue the mission of the Office of Civil Rights which is to facilitate the fair and equitable treatment of USDA customers and employees while ensuring the delivery and enforcement of civil rights programs and activities.

Geographic Breakdown of Obligations and Staff Years2006 Actual and Estimated 2007 and 2008

	2006		2007		2008	
	Amount	Staff Years	Amount	Staff Years	Amount	Staff Years
Washington, D.C.	19,818,544	140	19,908,000	144	23,147,000	144
Subtotal, Available or Estimate.....	19,818,544	140	19,908,000	144	23,147,000	144
Unobligated balance.....	89,366	--	--	--	--	--
Total, Available or Estimate.....	19,907,910	140	19,908,000	144	23,147,000	144

OFFICE OF CIVIL RIGHTS

Classification by Objects
2006 Actual and Estimated 2007 and 2008

	<u>2006</u>	<u>2007</u>	<u>2008</u>
Personnel Compensation:			
Washington, D.C.....	<u>\$11,659,555</u>	<u>\$11,980,000</u>	<u>\$12,621,000</u>
11 Total personnel compensation.....	11,659,555	11,980,000	12,621,000
12 Personnel benefits	<u>2,694,511</u>	<u>2,754,000</u>	<u>2,911,000</u>
Total pers. comp. & benefits	14,354,066	14,734,000	15,532,000
Other Objects:			
21 Travel and transportation of persons	250,728	256,000	266,000
22 Transportation of things	14,613	15,000	15,000
23.3 Communications, utilities, and misc. charges	156,522	160,000	160,000
24 Printing and reproduction.....	34,027	35,000	35,000
25.2 Other services.....	383,285	417,000	2,558,000
25.3 Purchases of goods and services from Government Accounts	4,091,291	3,892,000	4,182,000
26 Supplies and materials.....	258,063	263,000	263,000
31 Equipment	132,754	136,000	136,000
42 Insurance Claims and Indemnities.....	141,339	--	--
43 Interest.....	<u>1,856</u>	--	--
Total other objects.....	<u>5,464,478</u>	<u>5,174,000</u>	<u>7,615,000</u>
Total direct obligations	<u>19,818,544</u>	<u>19,908,000</u>	<u>23,147,000</u>
<u>Position Data:</u>			
Average Salary, ES positions.....	\$136,755	\$140,215	\$144,354
Average Salary, GS positions	\$85,872	\$81,981	\$86,439
Average Grade, GS positions.....	12.9	12.5	12.5

OFFICE OF CIVIL RIGHTS

STATUS OF PROGRAM

Current Activities

The Departmental Civil Rights staff offices' activities include: 1) timely and cost-effective complaint processing of equal employment opportunity (EEO) and program complaints; and 2) the implementation of initiatives to prevent EEO and program complaints through alternative dispute resolution (ADR), outreach, and civil rights related activities.

Timely and Cost Effective Complaint Processing: The Office of Civil Rights (CR) continues to make progress towards a more efficient complaint process. Over the course of 2006, the number of EEO cases pending in the intake phase decreased from 198 to 125. During the same period, the number of final decisions issued increased from 300 to 343. Phase I of the Civil Rights Enterprise System, covering the employment complaints tracking system, has proven to be a useful tool in monitoring complaint activity and tracking the efficiency of processes. Implementation of Phase II, the program complaints and ADR tracking systems, is on schedule for completion by the end of FY 2007.

Complaint Prevention: In order to achieve a model EEO Program, CR continues to implement the Equal Employment Opportunity Commission Management Directive 715 (MD-715). MD-715 uses quantitative and qualitative data to identify and aid in the removal of barriers to EEO. Overall, USDA experienced a 15 percent decrease in the number of new EEO complaints filed during fiscal year 2006 as compared to the prior year.

The three-year USDA Office of Outreach/Marriott International, Inc. Memorandum of Understanding (MOU) designed to help minority farmers remain viably engaged in agricultural enterprises through access to business opportunities in the hospitality industry will be concluded at the end of March 2007. The Office of Outreach is analyzing the results of the program to determine its effectiveness and impact, and to make appropriate recommendations for future agreements.

The Center for Minority Farmers (Center) continues to be a one-stop Department-wide information and service program designed to assist small and limited resource minority farmers and landowners in seeking new market outlets for their produce, and learning more about the programs and services offered by USDA. In FY 2007, services offered will be strengthened and expanded by working with agency outreach coordinators, small farm coordinators, and the Assistant Secretary for Civil Rights' staff to determine how best to integrate program delivery activities of other USDA programs into the Center's programmatic and operations portfolio, to eliminate duplication across the Department, and to leverage the Department's resource. Such a coordinated, integrated and comprehensive approach affords easy identification of opportunities for the Center to facilitate appropriate technical assistance and training.

The Minority Farm Register is used for identifying and reaching out to minority farmers, ranchers and landowners. The database of more than 2,500 non-duplicative names continues to grow. The next stage of this effort is to continue to identify minority farmers using community-based organizations and minority serving institutions to enlist the help of those registered with the 2007 Census of Agriculture, and issue regular communications to registrants.

Comprehensive Integrated Outreach Plan - The Agency Outreach Coordinators Working Group and Office of Outreach staff have focused on inter-agency communication, and a comprehensive and integrated Department-wide outreach plan, including coordinating and leveraging resources for travel, exhibits, conferences, training and technical efforts, and the development and dissemination of specialty outreach materials. Key activities in FY 2007 include the implementation of a new Departmental Regulation for Outreach, and the coordination of comprehensive cultural competency training for all agency outreach coordinators.

The USDA MOU with the U.S. Department of Health and Human Services (HHS) provides for the coordination of policies and activities directed toward improving socio-economic well-being of refugee families engaged in farming, agribusiness, and rural entrepreneurship. The USDA/HHS Interagency Working Group continues implementing the MOU Plan of Work. In FY 2007, joint meetings of USDA and HHS administrators will be convened and briefings for both Secretaries will be held, as will briefings for agency Administrators, agency outreach, and small farm coordinators and other appropriate agency program staff. The Office of Outreach will coordinate training focusing on marketing and risk management, and provide technical assistance for small and minority farmers with an emphasis on the refugee community.

The Conflict Prevention and Resolution Center (CPRC) has plans to conduct an Alternative Dispute Resolution (ADR) practitioners' conference. The primary objective of conducting this training is to satisfy the continuing education requirement specified in the ADR regulation, and the associated training requirements set by the Equal Employment Opportunity Commission.

CPRC is working with the ADR Leadership Group, the agency/mission area ADR program managers on other initiatives including an ADR Enterprise system to facilitate case tracking and reporting, a resolving official cadre to attempt resolution of EEO complaints, a USDA-wide ADR survey, a mediation video, and development of an ADR compliance review format for ascertaining compliance with the ADR regulation.

Selected Examples of Recent Progress:

Timely Processing of Program complaints: CR started FY 2006 with 759 pending program complaints, claims, inquires and appeals on hand and ended the year with 843. During the year, CR resolved 103 program complaints on the merits and processed an additional 321 claims, inquiries and appeals.

Timely processing of EEO complaints: Overall, USDA experienced a 15 percent decrease in the number of new EEO complaints filed during fiscal year 2006 as compared to the prior year. The decrease in the EEO complaints is attributed to factors such as an overall decrease in the size of the workforce, more timely resolution of pending complaints, increased usage of ADR to resolve disputes early, and improved compliance and accountability. In addition, there have been major reductions in the number and age of complaints pending notification and investigation. These trends are the result of a strong partnership with the agency civil rights offices and commitment to completing Reports of Investigation (ROIs) within statutory time frames. The number of ROIs completed in a timely manner has steadily increased since the responsibility for preparing ROIs was delegated to the agency civil rights offices. Only 1 percent of ROIs were timely during FY 2003. That figure increased to 49 percent for FY 2006.

Processing Time	Number of Cases	
	2005	2006
ROIs completed in 180 days or less	222	181
ROIs completed in 181 to 360 days	234	199
ROIs completed in 361 days or more	91	32
Total	547	412

Program Complaint Prevention Activities: The Third Annual Partners Meeting was held August 2-4, 2006, as a principal outreach effort to organizations representing underserved populations, including minority and small and limited resource farmers. The meeting continues dialogue with USDA stakeholders, providing a forum through which the voices and concerns of underserved constituents are heard by the USDA Secretary, Deputy Secretary, Under Secretaries, Agency Administrators and program and outreach staff. The foundation for the 2007 and 2008 partners meetings will continue to use the "conversations" model so that reasoned discourse on sensitive and critical cross-cutting issues affecting the small and minority farm and ranch community can occur. The Partners Meeting is an important part of USDA's framework for deriving solutions to long-held concerns about access, equity and accountability.

The Civil Rights Enterprise System is an electronic database system to be used by all USDA civil rights offices to track, process, and manage employment and program discrimination complaints as well as ADR matters. The system is fully operational for tracking and managing EEO complaints and has been very successful in meeting reporting deadlines to the Equal Employment Opportunity Commission. The modules for managing and tracking program discrimination complaints and ADR cases will be implemented during FY 2007. The system continues to meet all targets and projections and is within budget.

Utilizing Alternative Dispute Resolution (ADR) as a tool to contribute to the prevention and early resolution of non-civil rights disputes: The Office of the Assistant Secretary for Civil Rights (ASCR) issued a revised Department Regulation (DR 4710-001) dated April 5, 2006. Among other significant changes from the original ADR regulation, this revision sets training and experience requirements for those mediating cases for the USDA. The regulation mandates the offer of ADR to all those pursuing informal EEO complaints, barring those situations "reasonably related to the complaint that involved workplace violence, sexual assault/battery, or other criminal activity." Also, if an agency of the USDA decides not to offer ADR at the formal complaint stage, the agency is to document that decision.

Effective outreach programs in every agency that ensures equal and timely access to all customers, especially the minority and underserved: The FY 2005 Annual Report of Participation Rates of Socially Disadvantaged Farmers and Ranchers in USDA Programs (Section 10708 Report) was completed in December 2006. The FY 2006 report is in process. The FY 2005 report included an analysis and comparison of participation rates to Census data.

The Gay & Lesbian Employee Advisory Council (GLEAC) continues to proactively address sexual orientation issues within the Department. GLEAC's sexual orientation diversity-sensitivity program is being added to the AgLearn Curriculum.

The FY 2006 USDA-wide Conference Coordination Initiative continues and enables the Department to leverage the resources devoted to participating in the annual meetings of sixteen national minority organizations. By coordinating participation across agencies, USDA's image is enhanced, opportunities to showcase programs and services are broadened, and information and materials receive wider dissemination.

One result of the USDA/Marriott collaboration is that six small and minority farmers have earned Good Agricultural Practices (GAP) certification and one minority owned processing plant has also earned Good Management Practices (GMP) certification for the first time.

Outreach staff members continue to participate in meetings of minority community-based organizations, giving presentations on USDA programs and services, and directing constituent concerns to the appropriate USDA office.

Outreach staff and agency outreach coordinators continue to work with the Department of Energy and community based organizations to disseminate reconditioned, excess government computers to underserved communities and organizations.

OFFICE OF CIVIL RIGHTS

Summary of Budget and Performance
Statement of Goals and Objectives

USDA Strategic Goal	Agency Strategic Goal	Agency Objectives	Programs that Contribute	Key Outcome
		<p><u>Objective 1.4:</u> Ensure Program & EEO complaints are timely processed.</p> <p><u>Objective 1.5:</u> Ensure complaints are processed in an efficient and cost-effective manner.</p>	<p>Employment Complaints & Complaints Adjudication</p> <p>Program Complaints</p> <p>Data Management and Customer Service</p>	<p><u>Key Outcome 2:</u> Timely processing of Program & EEO complaints.</p> <p>a.) Reduction in the average number of days to process Program & EEO complaints to issuance of Report of Investigation. (Regulatory requirement is 120 days for Program & 180 days for EEO)</p> <p>b.) Reduction in the average number of days to process Program & EEO complaints to Final Agency Decisions. (60 days processing time for Program & 45 days processing time for EEO)</p> <p><u>Key Outcome 3:</u> Complaints are processed efficiently and cost-effectively.</p> <p>a.) Increase in the efficiency and cost-effectiveness of Program and EEO complaint processing.</p>

OFFICE OF CIVIL RIGHTS

Summary of Budget and Performance
Statement of Goals and Objectives

USDA Strategic Goal	Agency Strategic Goal	Agency Objectives	Programs that Contribute	Key Outcome
		<p><u>Objective 1.6:</u> Increase USDA-wide awareness & use of Alternative Dispute Resolution (ADR), & resolution of conflicts through ADR in the early stages of workplace & program disputes (non-civil rights).</p> <p><u>Objective 1.7:</u> Establish effective outreach programs in the Department to ensure equal and timely access to USDA programs & services for all customers, with special emphasis on the minority and underserved.</p>	<p>Conflict Prevention and Resolution</p> <p>Outreach</p>	<p><u>Key Outcome 4:</u> An increase in ADR usage.</p> <p>a.) Increase in total ADR usage USDA-wide.</p> <p>b.) Increase the number of direct ADR/conflict management services to the Office of the Secretary & others as requested.</p> <p><u>Key Outcome 5:</u> Improvement in minority, underserved, & socially disadvantaged participation in USDA programs & services.</p> <p>a.) Increase the number of minority, underserved, & socially disadvantaged persons made aware of USDA programs & services.</p>

Strategic Objective and Funding Matrix

OFFICE OF CIVIL RIGHTS

The Office of Civil Rights supports all USDA goals and objectives.

Strategic Goal and Funding Matrix
(On basis of appropriation)

	<u>2006 Actual</u>		<u>2007 Estimated</u>		<u>Increase or Decrease</u>	<u>2008 Estimated</u>	
	<u>Amount</u>	<u>Staff Years</u>	<u>Amount</u>	<u>Staff Years</u>		<u>Amount</u>	<u>Staff Years</u>
Equal Opportunity and Compliance	\$4,531,979	33	\$4,532,000	34	+762,000	5,294,000	34
Program Complaints	3,384,984	25	3,385,000	26	+131,000	3,516,000	26
Employment Complaints and Complaints Adjudication	5,674,974	39	5,675,000	40	+225,000	5,900,000	40
Data Management and Customer Service	3,145,986	23	3,146,000	24	+1,995,000	5,141,000	24
Conflict Prevention and Resolution	1,145,995	8	1,146,000	8	+44,000	1,190,000	8
Outreach	2,023,992	12	2,024,000	12	+82,000	2,106,000	12
Total, Available	19,907,910	140	19,908,000	144	3,239,000	23,147,000	144

Selected Accomplishments Expected at the FY 2008 Proposed Resource Level:

- **Equal Opportunity and Compliance** -- Decrease in the number of individual EEO complaints filed.
- **Employment Complaints and Complaints Adjudication** -- Reduction in the average number of days to process EEO complaints to issuance of Report of Investigation and a reduction in the average number of days to process EEO Final Decisions.
- **Program Complaints Division** -- Reduction in the number of Program complaints filed. Reduction in the average number of days to process Program complaints to issuance of Report of Investigation and a reduction in the average number of days to process Program complaints to Final Agency Decisions.
- **Data Management and Customer Service Center** -- Percent increase in the efficiency and cost-effectiveness of EEO and Program complaint processing.
- **Conflict Prevention and Resolution** -- Increase in ADR usage USDA-wide and increase the number of direct ADR/conflict management services to the OSEC and others as requested.
- **Outreach** -- Increase the number of minority, underserved, and socially disadvantaged persons made aware of USDA programs and services.

OFFICE OF CIVIL RIGHTS

Summary of Budget and Performance
Key Performance Outcomes and Measures

Goal 1: Ensure USDA provides fair and equitable services and benefits to all customers and upholds the civil rights of its employees.

Key Outcome 1: Program and EEO complaint reduction and prevention.

Key Performance Measure: Decrease in the number of individual Program and EEO complaints filed.

Key Outcome 2: Timely processing of Program and EEO complaints.

Key Performance Measure: Reduction in the average number of days to process Program and EEO complaints to issuance of Report of Investigation and to Final Agency Decision.

Key Outcome 3: Complaints are processed efficiently and cost-effectively.

Key Performance Measure: Increase in the efficiency and cost-effectiveness of Program and EEO complaint processing.

Key Outcome 4: An increase in ADR usage.

Key Performance Measure: Increase the total ADR usage USDA-wide and increase the number of direct ADR/conflict management services to OSEC and others as requested.

Key Outcome 5: Improvement in minority, underserved, and socially disadvantaged participation in USDA programs and services.

Key Performance Measure: Increase the number of minority, underserved, and socially disadvantaged persons made aware of USDA programs and services.

OFFICE OF CIVIL RIGHTS

Summary of Budget and Performance
Key Performance Outcomes and Measures

Key Performance Targets:

	<u>2003 Actual</u>	<u>2004 Actual</u>	<u>2005 Actual</u>	<u>2006 Actual</u>	<u>2007 Target</u>	<u>2008 Target</u>
Performance Measure Performance Measure #1.1.1: The number of individual EEO complaints filed. (FY 2002 Baseline is 765 complaints per year.)	765 per year	658 per year	662 per year	536 per year	525 per year	500 per year
a. Units (# of EEO complaints filed)	\$1,244,000	\$1,462,871	\$1,118,989	\$4,531,979	\$4,532,000	\$5,294,000
b. Dollars						
Performance Measure #1.1.2: The number of Program complaints filed. (FY 2002 Baseline is 90 complaints per month.)	80 per month	136 per month	49 per month	55 per month	45 per month	35 per month
a. Units (# of Program complaints filed)	\$842,000	\$922,936	\$1,118,988	\$1,692,492	\$1,692,500	\$1,758,000
b. Dollars						

OFFICE OF CIVIL RIGHTS

Summary of Budget and Performance
Key Performance Outcomes and Measures

<u>Key Performance Targets:</u>	<u>2003 Actual</u>	<u>2004 Actual</u>	<u>2005 Actual</u>	<u>2006 Actual</u>	<u>2007 Target</u>	<u>2008 Target</u>
<u>Performance Measure</u>						
Performance Measure #1.2.1: Reduction in the average number of days to process Program complaints to issuance of Report of Investigation (ROI). (Regulatory requirement is 120 days). (FY 2002 Baseline is 354 days)						
a. Units (Days to process a Program complaint to issuance of ROI)	350 days	654 days	366 days	387 days <u>1/</u>	280 days	120 days
b. Dollars	\$3,650,000	\$4,003,418	\$5,182,738	\$846,246	\$846,250	\$879,000
Performance Measure #1.2.2: Reduction in the average number of days to process Program complaints to Final Decisions. (60 days processing time is the desired target (no regulatory timeframe). (FY 2002 Baseline is 89 days)						
a. Units (average # days to process a Program complaint to Final Decision)	89 days	114 days	108 days	256 days <u>1/</u>	180 days	60 days
b. Dollars	\$931,000	\$1,000,854	\$1,649,024	\$846,246	\$846,250	\$879,000

OFFICE OF CIVIL RIGHTS

Summary of Budget and Performance
Key Performance Outcomes and Measures

<u>Key Performance Targets:</u>	<u>2003 Actual</u>	<u>2004 Actual</u>	<u>2005 Actual</u>	<u>2006 Actual</u>	<u>2007 Target</u>	<u>2008 Target</u>
<u>Performance Measure</u>						
Performance Measure #1.2.3: The average number of days to process EEO complaints to issuance of Report of Investigation (ROI). (Regulatory requirement is 180 days). (FY 2002 Baseline is 458 days).	400 days	407 days	258 days	215 days	200 days	180 days
a. Units (# days to process an EEO complaint to issuance of ROI)						
b. Dollars	\$3,413,000	\$3,675,364	\$5,064,947	\$4,256,231	\$4,256,250	\$4,425,000
Performance Measure #1.2.4: The average number of days to process EEO Final Agency Decisions. (Regulatory requirement is 45 days). (FY 2002 Baseline is 210 days).	210 days	190 days	402 days	280 days <u>2/</u>	180 days	45 days
a. Units (# days to process an EEO Final Agency Decision)						
b. Dollars	\$1,397,000	\$1,501,205	\$2,473,557	\$1,418,743	\$1,418,750	\$1,475,000

OFFICE OF CIVIL RIGHTS

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Key Performance Outcomes and Measures

<u>Key Performance Targets:</u>	<u>2003 Actual</u>	<u>2004 Actual</u>	<u>2005 Actual</u>	<u>2006 Actual</u>	<u>2007 Target</u>	<u>2008 Target</u>
Performance Measure						
Performance Measure #1.3: Increase in the efficiency and cost-effectiveness of Program and EEO complaint processing.						
a. Units (TBD) ^{3/}	N/A	N/A	TBD	TBD	TBD	TBD
b. Dollars	\$782,000	\$855,995	\$1,060,072	\$3,145,986	\$3,146,000	\$5,141,000
Performance Measure #1.4.1: Increase in the total ADR usage USDA-wide.						
a. Units (# of people offered ADR)	28,000	29,000	30,000	31,000	31,500	32,000
b. Dollars	N/A	\$209,883	\$353,350	\$572,998	\$573,000	\$595,000

OFFICE OF CIVIL RIGHTS

Summary of Budget and Performance
Key Performance Outcomes and MeasuresKey Performance Targets:

<u>Performance Measure</u>	<u>2003 Actual</u>	<u>2004 Actual</u>	<u>2005 Actual</u>	<u>2006 Actual</u>	<u>2007 Target</u>	<u>2008 Target</u>
Performance Measure #1.4.2: Increase in the number of Direct ADR/conflict management services to OSEC and others as requested.	0	0	50	75	75	100
a. Units (# of conflicts served)						
b. Dollars	N/A	\$209,883	\$353,350	\$572,997	\$573,000	\$595,000
Performance Measure #1.5: Increase in the number of minority, underserved, and socially disadvantaged persons made aware of USDA programs and services.	700,000	797,000	850,000	112,000	120,000	132,000
a. Units (# of participants)						
b. Dollars	N/A	\$1,133,644	\$1,338,387	\$2,023,992	\$2,024,000	\$2,106,000

1/ The Office of Civil Rights attribute the increases in average processing time to the review and closure of aged program discrimination complaints. As Phase II of the Civil Rights Enterprise System is implemented, average processing times may remain high as aged inventory is eliminated.

2/ The number provided for average processing time for EEO Final Decisions remains an estimate. Actual data will be provided at a later date.

3/ Implementation of the Civil Rights Enterprise System began in fiscal year 2005 for Employment Complaints. While Phase I of the system is fully implemented, Phase II, which encompasses program discrimination complaints tracking and ADR cases, is scheduled for completion in FY 2007. The measure for units under performance measure 1.3 is "To Be Determined" because the Civil Rights Enterprise System has not been fully implemented.

OFFICE OF CIVIL RIGHTS
Full Cost by Strategic Goal

Goal 1: Ensure USDA provides fair and equitable services and benefits to all customers and upholds the civil rights of its employees.

PROGRAM	PROGRAM ITEMS	Dollars in thousands		
		FY 2006	FY 2007	FY 2008
Equal Opportunity and Compliance				
	Salary & Benefits	\$3,341	\$3,388	\$3,580
	Departmental Central Charges	944	850	850
	Staff Development	58	56	56
	Travel	51	59	359
	Contracts	39	40	310
	Administrative Costs	99	139	139
	Total Costs	4,532	4,532	5,294
	FTEs	33	34	34
	Performance Measure: The number of individual EEO complaints filed.			
	BY Performance	536 per year	525 per year	500 per year
	Unit Cost	\$8	\$9	\$11
Program Complaints				
	Salary & Benefits	\$2,624	\$2,652	\$2,783
	Departmental Central Charges	547	502	502
	Staff Development	46	44	44
	Travel	40	46	46
	Contracts (Compliance Reviews)	32	32	32
	Administrative Costs	96	109	109
	Total Costs	3,385	3,385	3,516
	FTEs	25	26	26
	Performance Measure: The number of Program complaints filed.			
	BY Performance	55 per month	45 per month	35 per month
	Unit Cost	\$62	\$75	\$100
	Performance Measure: Reduction in the average number of days to process Program complaints to issuance of Report of Investigation. (Regulatory requirement is 120 days)			
	BY Performance	387 days	280 days	120 days
	Unit Cost	\$9	\$12	\$29
	Performance Measure: Reduction in the average number of days to process Program complaints to Final Agency Decisions. (60 days processing time is the desired target – no regulatory timeframe)			
	BY Performance	256 days	180 days	60 days
	Unit Cost	\$13	\$19	\$59

OFFICE OF CIVIL RIGHTS
Full Cost by Strategic Goal

Goal 1: Ensure USDA provides fair and equitable services and benefits to all customers and upholds the civil rights of its employees.

PROGRAM	PROGRAM ITEMS	Dollars in thousands		
		FY 2006	FY 2007	FY 2008
Employment Complaints and Complaints Adjudication				
	Salary & Benefits	\$4,059	\$4,126	\$4,351
	Departmental Central Charges	1,148	1,191	1,191
	Staff Development	69	66	66
	Travel	62	72	72
	Contracts (Final Decisions)	46	48	48
	Administrative Costs	291	172	172
	Total Costs	5,675	5,675	5,900
	FTEs	39	40	40
	Performance Measure: The average number of days to process EEO complaints to issuance of Report of Investigation. (Regulatory requirement is 180 days)			
	BY Performance	215 days	200 days	180 days
	Unit Cost	\$26	\$28	\$33
	Performance Measure: The average number of days to process EEO Final Agency Decisions. (Regulatory timeframe is 45 days)			
	BY Performance	280 days	180 days	45 days
	Unit Cost	\$20	\$32	\$131
Data Management and Customer Service				
	Salary & Benefits	\$2,337	\$2,358	\$2,482
	Departmental Central Charges	555	582	582
	Staff Development	41	39	139
	Travel	36	41	41
	Contracts	29	28	1,799
	Supplies	46	42	42
	Administrative Costs	102	56	56
	Total Costs	3,146	3,146	5,141
	FTEs	23	24	24
	Performance Measure: Increase in the efficiency and cost-effectiveness of EEO and Program complaint processing.			
	BY Performance	TBD	TBD	TBD
	Unit Cost	\$3,146	\$3,146	\$5,141

OFFICE OF CIVIL RIGHTS
Full Cost by Strategic Goal

Goal 1: Ensure USDA provides fair and equitable services and benefits to all customers and upholds the civil rights of its employees.

PROGRAM	PROGRAM ITEMS	Dollars in thousands			
		FY 2006	FY 2007	FY 2008	
Conflict Prevention and Resolution	Salary & Benefits	\$757	\$884	\$928	
	Departmental Central Charges	192	184	184	
	Contracts	8	11	11	
	Administrative Costs	189	67	67	
	Total Costs	1,146	1,146	1,190	
	FTEs	8	8	8	
	Performance Measure: Increase in the total ADR usage USDA-wide.				
	BY Performance	31,000	31,500	32,000	
	Unit Cost	\$37	\$36	\$37	
	Performance Measure: Increase in the number direct ADR/conflict management services to OSEC & others as requested.				
	BY Performance	75	75	100	
	Unit Cost	\$15	\$15	\$12	
	Outreach	Salary & Benefits	\$1,431	\$1,326	\$1,408
		Departmental Central Charges	436	583	583
		Contracts	14	16	16
Administrative Costs		143	99	99	
Total Costs		2,024	2,024	2,106	
FTEs		12	12	12	
Performance Measure: Increase in the number of minority, underserved, & socially disadvantaged persons made aware of USDA programs & services.					
BY Performance		112,000	120,000	132,000	
Unit Cost		\$18	\$17	\$16	
Total for Strategic Goal 1					
Total Costs	\$19,908	\$19,908	\$23,147		
FTEs	140	144	144		

Note: All CR' division performance measures include a pro-rate for indirect costs for the Director/Staff (12 FTEs) and Administrative and Financial Management support and services (17 FTEs).